

**UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS**

**CRIMINAL LOCAL RULES**



Effective  
January 1, 2004

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The court's local rules will generally apply to filings in criminal matters, except as specifically noted herein below or unless the interests of justice require the court to order otherwise.

Note: The local criminal rules shall be cited "LCrR \_\_\_\_."

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## **PREFACE**

### **STANDARDS OF PROFESSIONAL CONDUCT**\*

The following standards of practice are to be observed by attorneys appearing in this Court:

In fulfilling his or her primary duty to the client, a lawyer must be ever conscious of the broader duty to the judicial system that serves both attorney and client.

A lawyer owes to the judiciary candor, diligence and utmost respect.

A lawyer owes to opposing counsel a duty of courtesy and cooperation, the observance of which is necessary for the efficient administration of our system of justice and the respect of the public it serves.

A lawyer unquestionably owes to the administration of justice the fundamental duties of personal dignity and professional integrity.

Lawyers should treat each other, the opposing party, the Court, and members of the Court staff with courtesy and civility and conduct themselves in a professional manner at all times.

A client has no right to demand that counsel abuse the opposite party or indulge in offensive conduct. A lawyer shall always treat adverse witnesses and suitors with fairness and due consideration.

In adversary proceedings, clients are litigants and though ill feeling may exist between clients, such ill feeling should not influence a lawyer's conduct, attitude, or demeanor towards opposing lawyers.

Lawyers will be punctual in communications with others and in honoring scheduled appearances, and will recognize that neglect and tardiness are demeaning to the lawyer and to the judicial system.

If a fellow member of the Bar makes a just request for cooperation, or seeks scheduling accommodation, a lawyer will not arbitrarily or unreasonably withhold consent.

Effective advocacy does not require antagonistic or obnoxious behavior and members of the Bar will adhere to the higher standard of conduct which judges, lawyers, clients, and the public may rightfully expect.

\* These standards are incorporated into Civil LR 1.5.

## **Criminal Local Rules**

### **LCrR 12.1 - Time for Filing Pretrial Motions.**

All motions under Fed.R.Crim.P. 12(b), including discovery motions, shall be filed within fourteen (14) days after entry of plea. The court upon motion and for good cause shown may extend the time for filing motions. All other aspects of motion practice are governed by the civil Local Rules.

### **LCrR 17.1.1 - Pretrial Conference.**

On request of any party or on the court's motion, one or more pretrial conferences may be held. The agenda shall consist of the following items, so far as applicable:

- a. Production of statements or reports of witnesses under the Jencks Act, 18 U.S.C. §3500;
- b. Production of grand jury testimony of witnesses intended to be called at the trial;
- c. Production of evidence favorable to the defendant on the issue of guilt or punishment as required by Brady v. Maryland, 373 U.S. 83 (1963), and related authorities;
- d. Stipulation of facts which may be deemed proved at the trial;
- e. Appointment of interpreters under Fed.R.Crim.P. 28;
- f. Dismissal of certain counts and elimination of certain issues, e.g., insanity, liability, and statute of limitations;
- g. Severance of the trial of any co-defendant or joinder of any related case;
- h. Use or identification of an informant, use of lineup or other identification evidence, use of evidence of prior convictions of defendant or any witness;
- i. Pretrial exchange of lists of witnesses, expert or other, intended to be called in person or by deposition to testify at trial, except those who may be called

only for impeachment or rebuttal;

- j. Pretrial resolution of objections to exhibits or testimony to be offered at trial;
- k. Preparation of trial briefs on legal issues likely to arise at trial;
- l. Scheduling of the trial and the order of witnesses;
- m. Discussion of proposed jury instructions and voir dire jury examination.

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